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As Chief of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB), I take this opportunity to welcome you to the 8th issue of the Terrorism Prevention Branch Briefing.

My name is Trevor Michael Rajah and I was appointed Chief of the Branch in June 2014. Prior to joining UNODC, I worked as Executive Head of the United Nations Compensation Commission based in Geneva and as Chief of Section at the New York-based United Nations Counter-Terrorism Committee Executive Directorate.

Terrorism remains a serious and growing challenge for the international community. Terrorism exploits political and social instabilities and it takes advantage of weak justice systems and legislative gaps. Effective and rule of law based criminal justice systems are the foundation of any comprehensive strategy to prevent and counter-terrorism. The Terrorism Prevention Branch is the key United Nations office mandated to promote the 19 international legal instruments related to terrorism through the provision of legal assistance to Member States and capacity building training to their criminal justice officials.

Building on the tremendous work of my predecessors, we look forward to continuing to strengthen the provision of effective counter-terrorism legal and capacity building assistance to our Member States. TPB's close ears to the ground, its strong legal expertise and its ongoing open dialogue with its Member States, will continue to ensure TPB's progress in supporting its constituency by preventing and combating terrorism, in the months and years to come.

To accomplish this objective, I will, together with my dedicated office, continue to ensure that the technical assistance, which we provide is sustainable and responsive to the needs of our Member States. Additionally, we intend to continue to further enhance the effectiveness of the programme by strengthening our monitoring and evaluation mechanisms—so as to ensure that our activities are measurable and produce the desired results. We will also work to promote greater synergies between the Branch and other United Nations entities working on counter-terrorism issues, in particular, those entities which are part of the Counter-Terrorism Implementation Task Force (CTITF), as well as,

relevant regional organisations.

I am confident that, with your continued support, TPB will continue to further enhance its work as the key provider of legal technical assistance and capacity building to the United Nations Member States in preventing and combating terrorism. I invite you, now, to read through this new issue of our newsletter for updates on TPB's recent activities.

With best regards,
Trevor Michael Rajah
Chief, Terrorism Prevention Branch
United Nations Office on Drugs and Crime

UNODC/TPB & UN/CTED Launch the Regional Dimension of the EU-Funded Action to Strengthen Counter-Terrorism Efforts in the Maghreb Region

The first regional workshop of the four-year joint initiative of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB) and the United Nations Security Council Counter-Terrorism Committee Executive Directorate (CTED), in partnership with the European Union (EU), was held in Tunis, Tunisia, from 2 to 3 June 2014. This initiative aims at strengthening the capacity of our Member States in investigating and prosecuting counterterrorism cases while respecting human rights and the rule of law.

The workshop is part of this four year programme that includes several other regional and national specialized technical assistance activities. The programme will run from mid-2014 to mid-2017 and has been designed taking into account the needs for technical assistance identified and expressed by the beneficiary countries.

This unique and timely project, financed by the EU under its Neighbourhood and Partnership Instrument, will focus on countries of the Maghreb region, especially Algeria, Libya, Morocco and Tunisia. Mauritania will also benefit from the regional activities undertaken under the project.

The immediate beneficiaries are criminal justice officials in charge of counter terrorism issues and/or international cooperation in criminal matters, including judges and prosecutors, law enforcement officials, members of specialised parliamentary committees, officials from the ministries of



Participants at the Launch of the EU Funded Action to Strengthen Counter-Terrorism Efforts in Maghreb Region, 2-3 June 2014, Tunis, Tunisia.

justice, interior and foreign affairs, and civil society representatives.

Forty-one representatives from all beneficiary countries (parliamentarians, senior prosecutors and officials of the ministries of justice, interior and foreign affairs) participated in this first regional workshop, as well as officials from the African Union, Council of Europe, French National School for the Judiciary, United Nations Counter-Terrorism Implementation Task Force, United Nations Office of the High Commissioner for Human Rights and from all relevant EU institutions (European Commission's Directorate-General for Development and Cooperation, European External Action Service, Europol, Euro-

Mediterranean Partnership, Eurojust, European Police College and Office of the EU Counter-Terrorism Coordinator).

This workshop was an ideal opportunity to set strategic priorities for further implementation of the project and to encourage strong mobilisation of all relevant stakeholders at the national and international levels, while ensuring full coordination and complementarity among all.

In the coming months, national workshops will be organised for the benefit of officials from Libya and Morocco. Furthermore, a second regional event will be conducted by the end of the year 2014, together with CTED, on parliamentary oversight of law enforcement and security services.

UNODC/TPB Launches a Project to Enhance Countering Terrorism in Algeria



Specialized Training Workshop on the Use of Special Investigation Techniques in Criminal Investigation of Digital Communication, 16 – 19 June 2014, Algiers, Algeria.

A specialized training workshop on the use of special investigation techniques in criminal investigation of digital communication channels was held in Algiers, Algeria, from 16 to 19 June 2014. The training launched an 18-month Plan of Action established between the Government of Algeria and the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB) for which specialized technical activities are foreseen.

Based on an interactive and practical methodology, the workshop aimed at strengthening the capacities of 31 Algerian officials from the Judicial Police and the National Gendarmerie, on state of art investigation techniques used to prevent and

detect Internet-based terrorist offences. It is part of a series of specialized thematic initiatives recently developed by UNODC/TPB for the benefit of countries of the Middle East and North Africa region.

The substantive sessions, jointly



Participants in the training workshop from the Algerian Judicial Police and National Gendarmerie.

delivered by UNODC/TPB, the Cyberterrorism Group of the Spanish Guardia Civil and the Special Operations Group of the Italian Carabinieri, focused on the international context and investigative challenges related to the use of the Internet for terrorist purposes. Efficient forensic criminal investigation and methods to better investigate Internet-based communication tools (such as VoIP, emailing, chat forums, etc.), as well as related experiences and investigative good practices, were presented and discussed during the training.

Both the Ministry of Foreign Affairs and the National Security General Directorate of Algeria (DGSN, from its French acronym), which hosted the event at one of its premises, welcomed the specialized technical support that UNODC/TPB is providing under the Plan of Action and expressed their full appreciation for it.

UNODC/TPB Commences Cooperation with the International Institute for Justice and Rule of Law through a Regional Workshop for Libya and Other Countries in the Middle East and North Africa

Only few days after the inauguration of the International Institute for Justice and the Rule of Law in Malta (IIJ), the

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Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB) and the IIJ, held a regional

workshop on cross-border cooperation related to the fight against the financing of terrorism and other serious crimes. The

workshop was held in La Valetta, Malta, from 23 to 25 June 2014.

UNODC/TPB is the first institution to cooperate with the newly born IJJ. The regional workshop was a part of the UNODC/TPB project for Libya aiming to support Libya's efforts towards the development of a comprehensive counter-terrorism strategy, an implementation plan to prevent and counter terrorism and the promotion of an effective and rule of law-based comprehensive criminal justice response to terrorism. The Libya project is framed for 18 months and is funded by the generous contributions from Japan and the United States of America.

Thirty-eight senior professionals, including judges, prosecutors, heads of financial intelligence units and law enforcement officers from Egypt, Libya, Morocco, Niger, Tunisia and Saudi Arabia participated in the workshop, along with prominent international experts from Italy, Spain, the United Kingdom, the United States of America, and the

International Institute of Higher Studies in Criminal Sciences.

Comprehensive and in-depth discussions took place and national experiences of the participating countries in countering the financing of terrorism were presented during the regional workshop. The audience actively engaged and thoroughly analyzed those experiences versus their own level of compliance with the requirements of the universal legal instruments, the rule of law and human rights.

The very positive feedback of participants, experts and IJJ officials calls for additional cooperation between UNODC/TPB and the IJJ in the future.

In June 2012, at the Ministerial Meeting of the Global Counterterrorism Forum (GCTF), the foreign ministers and other senior officials of the GCTF member states announced their strong support for the establishment of the IJJ. Two years later, on 18 June 2014, the

institute was officially established. Since the inception of the process, UNODC/TPB has been regarded as a key partner and supporter of the institute. UNODC/TPB has participated in a number of preparatory meetings



Participants at the Regional Workshop for Libya and other Countries in the Middle East, 23-25 June 2014, La Valetta, Malta.

for the establishment of the institute and fully supported the work on both the foundational documents of the IJJ, as well as on the development of its training curriculum.

UNODC/TPB and CTED Hold the First Regional Meeting on Building Effective Central Authorities

A regional meeting on building effective international cooperation by central authorities was held in Marrakesh, Morocco, on 22-24 January 2014, within the framework of the joint three-year project of the UNODC Terrorism Prevention Branch (UNODC/TPB) and the Counter-Terrorism Committee Executive Directorate (CTED) of the United Nations Security Council on "Building Effective Central Authorities for International Judicial Cooperation in Terrorism Cases".

Cooperation in terrorism-related cases can be challenging and time-consuming for States in an increasingly transnational realm,



Regional Meeting on Building Effective International Cooperation by Central Authorities, 22-24 January 2014, Marrakesh, Morocco.

when key evidence, witnesses, victims or the proceeds from the

crime can be located outside the country's jurisdiction and when

countries have to resort to cooperation via diplomatic channels. The UNODC/TPB-CTED project aims to help Member States establish one single central authority in charge of processing extradition and requests for mutual legal assistance thereby strengthening their capacity to cooperate and ensuring efficient and time-effective responses.

The event in Marrakesh witnessed UNODC and CTED join forces with the League of Arab States, to bring together experts from 10 countries of the Middle East and North Africa (MENA) region, the United States of America, as well as

representatives of the Arab Maghreb Union, the Commonwealth Secretariat, Eurojust, Europol, Ibero-American Network for International Legal Cooperation, INTERPOL and the League of Arab States.

Practitioners discussed common challenges, highlighted best practices and identified areas for further development, agreeing that the establishment of cooperation mechanisms, whether formal or informal, can help to significantly facilitate their need to cooperate with their foreign counterparts in order to bring the perpetrators of terrorist offences to justice.

The main goals of this meeting were to connect practitioners from the MENA region and to provide them with an opportunity to use contacts made in Marrakesh in their work. Such an informal platform will facilitate communication and cooperation on legal criminal matters in the region.

With a strong participants' recommendation to have regular opportunities to meet and discuss, such as the one provided in Marrakesh, CTED and UNODC/TPB will continue their work to support Member States and regional organizations to facilitate international cooperation in the MENA region.

UNODC/TPB Launches two Projects to Assist Egypt and Iraq in Countering Terrorism



Workshop on the Implementation of International Law against Terrorism and Countering Terrorist Financing, 26-28 May 2014, Amman, Jordan.

Under its global project on “Strengthening the Legal Regime Against Terrorism”, and with generous funding from Japan, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB) launched two projects to assist Egypt and Iraq in strengthening their legal counter-terrorism

regimes. The projects aim at supporting the two countries' efforts towards the development and implementation of a comprehensive strategy in countering terrorism and to promote an effective and rule-of-law-based comprehensive criminal justice response to terrorism.

The successful opening of Egypt's project by a workshop in Cairo from 28 to 30 April 2014 was followed by another specialized workshop held in Cairo from 17 to 19 June 2014. In each of the two workshops, UNODC/TPB gathered more than 35 Egyptian criminal and law enforcement officers along with prominent international and regional experts to discuss respectively “the implementation of international law against terrorism and countering the financing of terrorism” (April workshop) and “the prevention of terrorist financing, its investigation and prosecution” (June workshop) versus Egyptian national frameworks. The success of the workshops resulted in the Egyptian's counterpart strong support in continuing the implementation of technical assistance activities under Egypt's plan of action agreed upon with UNODC/TPB.

Another achievement was made under the Iraq project despite

security difficulties and logistical impediments. UNODC/TPB successfully held the opening workshop for Iraq in Amman, Jordan, from 26 to 28 May 2014 on the implementation of international law against terrorism and countering the

financing of terrorism. Eleven senior Iraqi criminal justice officers were gathered with prominent international and regional experts to discuss the relevant international legal instruments versus Iraq's national framework. The successful

workshop resulted in the Iraqi government requesting UNODC/TPB to continue its cooperation through the implementation of the other activities under the plan of action agreed upon with UNODC/TPB.

Assisting Sahel Countries to Strengthen Criminal Justice Responses to Terrorism

Countries in the Sahel region of West Africa continue to face a serious terrorist threat, perpetuated mainly by terrorist networks, such as Al-Qaeda in the Islamic Maghreb, Boko Haram and the Movement for Unity and Jihad in West Africa. These countries are in urgent need of specialized assistance to strengthen rule of law-based criminal justice responses to terrorism.

As an integral element of UNODC's contribution to the United Nations Integrated Regional Strategy for the Sahel, UNODC/TPB is working together with the UNODC Regional Office for West and Central Africa to implement a reinforced programme for assisting the Sahel and neighbouring countries to build criminal justice capacity in order to combat terrorism as well as organized crime and corruption.

A foremost goal is to enable these countries – mainly Burkina Faso, Chad, Mali, Mauritania, Niger and Senegal but also other neighbouring countries such as Cameroon and Code d'Ivoire – to achieve enhanced capacity to undertake rule of law-based investigation, prosecution and adjudication of terrorism cases, with due respect for human rights. As an important step in this regard, special efforts are made to strengthen sub-regional and cross-regional (Sahel-



Officials from Burkina Faso, Chad, Niger, Mauritania and Senegal Participating in Training Workshops focusing on the Universal Framework against Terrorism.

Maghreb) cooperation among criminal justice officials, such as through the Regional Judicial Cooperation Platform of the Sahel Countries. Where needed, assistance is also provided to the national authorities to undertake necessary modifications to the national counter-terrorism legal framework in conformity with international requirements.

During the first half of 2014, five national training workshops – with more than 100 criminal justice officials (judges, prosecutors, police officers and gendarmes) as trainees – were held in Burkina Faso, Chad, Niger, Mauritania and Senegal. These training workshops were focused on the universal legal framework against terrorism and specific aspects pertaining to the investigation and prosecution of terrorism-related cases, as well as

on mechanisms of international cooperation in criminal matters.

Moreover, in May 2014, the first train-the-trainers sub-regional workshop was held in Dakar, Senegal, for a network of 35 national trainers from Burkina Faso, Chad, Mali, Mauritania, Niger and Senegal. This network of national trainers has been set up recently by UNODC for promoting local leadership for countering terrorism and for enhancing the capacity of national trainers from the region to design and implement participatory training on the legal framework against terrorism, investigation techniques and international cooperation in criminal matters.

The counter-terrorism programme in the region is co-funded by Canada, France, Germany, Japan and the United States of America.

Assisting Nigeria to Reinforce Measures against Terrorism

The Branch, jointly with the UNODC Country Office for Nigeria, has progressed well in implementing the partnership programme for strengthening criminal justice responses to terrorism. The programme started in January 2012, with the funding support from the United Kingdom. The current Phase II (November 2013 – April 2015), funded by the European Union and Japan, is being implemented in partnership with the Counter Terrorism Committee Executive Directorate and is fully supported by the Nigerian Government.

The central pillar of the programme focuses on specialized training aimed at building the capacity of Nigerian judges, prosecutors and

investigators to undertake rule of law-based and human rights-compliant measures against terrorism. In the framework of that programme UNODC/TPB has already assisted the Direction of Public Prosecution of the Federal Ministry of Justice of Nigeria in providing specialized training to a select group of 22 prosecutors. It is expected that the trained prosecutors will soon be reinforcing prosecutorial work on up to 200 new terrorism case files. Through that programme some 50 judges, prosecutors, legal officers and investigators from various States of Nigeria have also been assisted to enhance their expertise pertaining to the human rights dimensions of several closely linked aspects of criminal justice responses to

terrorism, such as the use of special investigative techniques and the arrest and detention of terrorism suspects.

More capacity building activities for selected groups of judges, prosecutors and law enforcement officials dealing with counter-terrorism work in Nigeria are planned under this programme for the second half of 2014 and early 2015. These activities will also address such issues as cross-border cooperation on criminal matters related to terrorism and inter-agency collaboration. UNODC will also work with national authorities to further continue this programme in the future.

Supporting Horn of Africa States to Strengthen Criminal Justice Capacity to Counter Terrorism

In 2013 UNODC/TPB commenced the provision of the reinforced technical assistance to the Horn of Africa and neighbouring countries – mainly Djibouti, Ethiopia, Kenya and Somalia – to strengthen their criminal justice responses to terrorism.

For this purpose, as part of implementing the UNODC's Regional Programme for Eastern Africa, the Branch and the UNODC's Nairobi-based Regional Office worked closely with the national authorities of these countries to formulate country-specific programme activities, which reflect the national priorities and enjoy country ownership.

The main focus is to strengthen national capacity to investigate,

prosecute and adjudicate terrorism acts in accordance with the rule of law and in particular international human rights law. The programme also seeks to support these States to enhance their inter-agency and cross-border collaboration, as well as to strengthen their counter-terrorism legal frameworks, as needed.

The programme is implemented in close partnership with the Security Sector Programme of the Inter-Governmental Authority for Development and closely coordinated with the African Union.

Commencing in December 2013, five national capacity building workshops were held in Ethiopia, Djibouti and Kenya. Their focus ranged from mutual legal assistance (Ethiopia) to human

rights and criminal justice responses to terrorism (Djibouti and Kenya). Analysis of Somalia's draft counter-terrorism legislation has also been provided to the Somali Federal Government, through the United Nations Assistance Mission in Somalia. Additional activities are planned for the second half of 2014 for Kenya and Djibouti.

These programme activities are being funded by Denmark. The Branch is also planning to initiate, in partnership with the Somali Federal Government and the Government of the United Kingdom, specialized training for a select group of Somali judges and prosecutors. UNODC/TPB is currently seeking additional funding to continue its engagement in the Horn.

Assisting Yemen to Strengthen Criminal Justice in Terrorism Cases

From 2 to 6 June 2014 UNODC/TPB and the Ministry of Justice of Yemen held a training workshop on the investigation and prosecution of terrorism financing for 24 Yemeni judges, prosecutors and financial investigators. The training, funded by the United States of America, took place at the Justice Academy of Turkey in Ankara, which enabled the participants to exchange experiences with the Turkish counterparts. The training focused on practical exercises enhancing core skills for financial investigations. The same participants had already attended a training on the Yemeni and international legal framework for countering money laundering and terrorism financing organized by UNODC and the Government of Yemen in Sana'a in November 2013.

The Government of Yemen (particularly its Ministry of Justice, Attorney General's Office, judiciary and judicial training institute) and UNODC/TPB have cooperated very closely since the beginning of 2013. Upon request of the

Government, the Branch provided an in-depth gap analysis of Yemen's counter-terrorism draft law, which was discussed with experts from key ministries at a workshop in Sana'a. The revised draft law that is currently pending in Yemen's legislature incorporates many of the changes recommended by the Yemeni experts at the conclusion of the workshop.

This legislative workshop was just one of the eight held in Sana'a by UNODC/TPB in cooperation with the UNODC Regional Office for the Middle East and North Africa in 2013 and the first half of 2014 despite the challenging security situation. The activities also included specialized training for approximately 60 judges and prosecutors on special investigative techniques, financial investigations and human rights issues particularly relevant to terrorism cases.

The Ministry of Justice of Yemen further requested UNODC/TPB to assist it in building the capacity of a group of 20 trainers who will

in turn provide training on international and domestic counter-terrorism law at Yemen's judicial training institute and at the police academy. Three train-the-trainers workshops have been already held and two more are planned for the second half of 2014. With UNODC/TPB's support, the Ministry of Justice of Yemen is working on developing curricula and training courses to be taught by the UNODC trained trainers.

Finally, assisting Yemen and its neighbouring countries in the Horn of Africa (Djibouti, Ethiopia, Kenya and Somalia) to better cooperate in terrorism investigations and prosecutions is another key component of UNODC's Yemen project. Three regional workshops held in Nairobi brought together more than 70 officials from the five countries to establish contacts, exchange information on their respective domestic laws regarding mutual legal assistance and extradition, and explore together the relevance of international treaties to their cooperation.

UNODC/TPB Launches Technical Tools to Prevent and Combat Terrorism and Its Financing in Colombia

On 2 July 2014, in Bogotá, Colombia, in the presence of senior Colombian governmental officials and members of the diplomatic corps and under the auspices of the Ministry of Justice and Law of Colombia, the International Cooperation Agency for Development of Extremadura (AEXCID), the Governments of Spain and the United Kingdom, UNODC/TPB launched three unique technical assistance tools, namely (i) the Guide for Colombia on the Legal Regime against Terrorism and Its Financing; (ii) the plan (case management tool) to conduct



Launch of UNODC/TPB Technical Tools to Prevent and Combat Terrorism and its Financing, 2 July 2014, Bogotá, Colombia.

criminal investigations of the financing of terrorism offences in Colombia, and (iii) the Observatory of Jurisprudence for the Americas.

The Guide for Colombia on the Legal Regime against Terrorism



Guide for Colombia on the Legal Regime against Terrorism and its Financing.

and Its Financing provides criminal justice officials from Colombia with texts of the universal, regional and national legal instruments on countering terrorism and its financing, including an in-depth analysis of relevant jurisprudence. Furthermore, it offers a specialized and thorough analysis of the criminal terrorism-related offences established under the national legislation and a

diagnosis on the management of the terrorism-related investigations conducted by the Attorney General's Office and the Judicial Police Directorate of Colombia.

The plan (case management tool) to conduct investigations of the financing of terrorism offences in Colombia, which complements the above mentioned guide, provides officials with relevant inputs to better understand, analyze and address the criminal investigation procedure related to terrorism financing cases. It analyzes each of the elements of the offence, the current legal interpretation of concepts, including by High Courts, together with a recompilation of several judgments pronounced in Colombia and the comparative experiences related to their prosecution. Furthermore, it provides criminal investigators with enhanced prioritization criteria, best practices on the use of special investigative techniques, and a strengthened teamwork procedure towards a criminal investigation conducted through a methodological programme.

Beyond acknowledging the dedication, commitment and diligent work advanced by judges

and magistrates of Colombia in an effort to contribute to a territory free of being a safe haven for terrorists, the Observatory of Jurisprudence for the Americas (<http://observatoriojurisprudencia.unodc.org.co>) represents an unprecedented opportunity for justice operators to easily consult judicial decisions adjudicated at different instances (from the first to second instance, as well as High Courts), and brings a guiding criteria for those who, based on their functions, need to analyze case law of terrorism-related files. The Observatory of Jurisprudence, the first of its kind in Colombia and the Americas, represents an invaluable thesaurus for the judiciary and the criminal justice, law enforcement and academic community.

The above mentioned innovative tools developed by UNODC/TPB will serve criminal justice officials in their daily work on complex investigations, prosecutions and adjudication of terrorism-related offences. The strengthening of technical, legal and procedural concepts and abilities will ultimately contribute to the prevention of terrorism.

Strengthening Afghanistan's Criminal Justice Mechanisms to Counter the Appeal of Terrorism

A training session and a national workshop on strengthening criminal justice mechanisms in Afghanistan to counter the appeal of terrorism in accordance with the relevant international legal instruments, Security Council resolutions and the rule of law were organized by UNODC/TPB, in coordination with the Foreign Ministry of Afghanistan, in Abu Dhabi, United Arab Emirates, on 14-17 April 2014.



Training Session and a National Workshop on Strengthening Criminal Justice Mechanism in Afghanistan, 14-17 April 2014, Abu Dhabi, UAE.

With a particular focus on enhancing counter-terrorism mechanisms and strengthening the criminal justice procedures in Afghanistan to counter the appeal of terrorism, this workshop provided training to law enforcement and national criminal justice officials of Afghanistan that are involved in the investigation, prosecution and adjudication of terrorism related offences, as well as to Afghan policy makers, civil society representatives and human rights bodies, such as the Afghanistan Independent Human Rights Commission.

The event focused on the effective criminal justice responses to propaganda, incitement and recruitment for terrorist purposes in line with the universal legal framework against terrorism, international provisions relating to countering the appeal of terrorism and human rights standards, in the context of the domestic legal framework of Afghanistan. In addition, specific mechanisms to counter the appeal of terrorism and violent extremism were assessed.

During the workshop, participants were provided with detailed

analysis and assessments by national and international experts. Criminal justice officials, prosecutors, judges and other stakeholders shared an overview of existing criminal justice and institutional responses to propaganda and other acts of incitement that might lead to the recruitment and training of members of terrorist groups, or lead to the commission of violent acts of terrorism. Diverse national experiences on these issues were also shared, in light of actual cases and approaches in other jurisdictions.

Anti-Money Laundering and Countering Financing of Terrorism Laws in Afghanistan

In addition to capacity building, UNODC/TPB has provided Afghanistan with tailor-made legislative assistance in order to increase the capacity of national institutions to combat financial crimes related to terrorism and to strengthen inter-agency and international cooperation.

In this context, UNODC/TPB undertook a review and assessment of the entire anti-money laundering and countering the financing of terrorism (AML/CFT) national legislation, with the purpose of bringing them

in line with international legal instruments to combat the financing of terrorism. Such review was conducted in the form of legislative drafting workshops and in close coordination with national authorities, such as the Financial Intelligence Unit and the Financial Transactions and Reports Analysis Center of Afghanistan. The detailed amendments to the AML/CFT national legislation were proposed to the Government of Afghanistan for further consideration.

As a result of these efforts, the Anti-Money Laundering Law and the Countering the Financing of Terrorism Legislation were signed by the President of Afghanistan in June 2014, following the adoption by Afghanistan's Parliament.

Consequently, compliance with international instruments by the national legislation has been strengthened, as well as the capacity of national authorities and institutions to prevent, respond and combat the financing of acts of terrorism.

UNODC/TPB Continues to Support the Pacific in Countering Terrorism and related Threats

Pacific Islands countries might be geographically distant from the world's 'hotspots' of international terrorism, however Governments in the region recognize that geographic location alone does not isolate them from the rapidly evolving global threats presented by terrorism and related transnational criminal activity. As

a result, there are continuing requests from the region for UNODC's assistance on counter-terrorism issues.

Since 2007, with financial support from the Governments of New Zealand and Australia, UNODC/TPB has provided technical assistance and capacity building training to many Pacific Islands countries aimed at

strengthening their capacity to provide effective criminal justice responses to terrorism, terrorist financing and other related criminal activity, including through providing assistance in strengthening international cooperation in criminal matters related to terrorism.

This assistance, which has been provided to 12 countries in the region, has included supporting governments with the ratification of counter-terrorism instruments, with a total of 31 new ratifications. For example, in April 2010, with the assistance of UNODC/TPB, the Government of Nauru ratified the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, thereby bringing this instrument into force and helping to strengthen international counter-terrorism and maritime security frameworks. In addition to promoting and supporting the ratification of additional universal counter-terrorism instruments, UNODC/TPB has supported 10 Pacific Islands countries with the development of new or amended counter-terrorism and counter financing of terrorism legislation and provided related capacity building training for law enforcement and criminal justice officials and the judiciary.

In 2014, activities under the project, which is nearing its final stages, have included the provision of legislative assistance to two Pacific Islands countries



Participants to the National Workshop for the Solomon Islands on “Countering Financing of Terrorism, Freezing and Forfeiture of Terrorist Assets”, 2 May 2014.

on several areas, including terrorist asset-freezing to strengthen their compliance with international counter-terrorism and countering the financing of terrorism obligations. This has been accompanied by related training for law enforcement, criminal justice and financial regulatory officers on legal and practical aspects of the implementation of international norms and procedures at the national level.

In coordination with the UNODC Regional Office for South-East Asia and the Pacific, UNODC/TPB is currently reviewing counter-terrorism-related activities in the Pacific region to identify areas of potential need by Pacific Islands countries, synergies with UNODC's wider activities in the region and possible sources of future funding.

UNODC/TPB and GCTF hold the Second Expert Group Meeting on Protecting and Using Intelligence Information in Counter-Terrorism Investigations and Prosecutions

The Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC/TPB) and the Criminal Justice Sector and Rule of Law Working Group of the Global Counterterrorism Forum (GCTF) hosted the Second Expert Group Meeting on Protecting and Using Intelligence Information in Rule of Law-Based, Criminal Justice Sector-Led Investigations and

Prosecutions at the UNODC headquarters in Vienna, Austria on 7-8 July 2014.

This meeting served as follow-up to the First Expert Group Meeting, held in Frankfurt in January 2014, which discussed the implementation of Good Practice 6 of the GCTF Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice

Sector (Rabat Memorandum). Good Practice 6 of the Rabat Memorandum encourages GCTF members to enact measures to protect sensitive law enforcement and intelligence information in terrorism cases, and the Frankfurt meeting led to the development of draft recommendations on this matter.



Second Expert Group Meeting on Protecting and Using Intelligence Information in Counter-Terrorism Investigations and Prosecutions, 7-8 July 2014, Vienna.

The Second Expert Group Meeting in Vienna pursued the Frankfurt discussion and focused on the refinement of the above-mentioned recommendations in order to reach an ad referendum

agreement. The recommendations were extensively debated and discussed by over forty criminal justice officials from the participating GCTF members, in addition to officials from Austria,

Libya, Tunisia, as well as the Council of Europe, European External Action Service, European Police College, Office of the United Nations High Commissioner for Human Rights and Organization for Security and Co-Operation in Europe.

Participants provided detailed feedback on each draft recommendation, illustrated by comprehensive examples from their national legislation governing the use of intelligence, and highlighted challenges faced when using intelligence information as evidence in terrorism trials.

The final set of recommendations will be presented for adoption by the GCTF Coordinating Committee and Ministerial Plenary at its high-level meeting in September 2014 on the margins of the United Nations General Assembly.

Adoption of a New Instrument against Terrorism

On 4 April 2014, the International Civil Aviation Organization Diplomatic Conference on Air Law, held in Montreal, Canada, adopted a Protocol to Amend the 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft.

Thus, this new Protocol became the most recent international legal instrument against terrorism, increasing the total number of counter-terrorism instruments to 19.

A copy of the Protocol (in all six United Nations official languages) and the consolidated text of the 1963 Convention and 2014 Protocol will be soon

available on the Electronic Legal Resources on International Terrorism database maintained by the UNODC Terrorism Prevention Branch (https://www.unodc.org/tldb/universal_instruments_NEW.html).

The Protocol incorporates two mandatory jurisdictional grounds (i.e. the State of the Aircraft Operator and the State of Landing jurisdictions), recognizes the role of in-flight security officers and encourage States to take measures to initiate appropriate criminal, administrative or any other form of legal proceedings against any person who commits on board an aircraft any offence or punishable act covered by the Convention, in

particular the physical assault or threat against a crew member; or the refusal to follow a lawful instruction given by or on behalf of the aircraft commander for the purpose of protecting the safety of the aircraft or of persons or property therein.

The Protocol contains also numerous human rights aspects recalling that States must observe and comply with their obligations and responsibilities under international law while countering terrorism.

This instrument is open to all States for signature at the Headquarters of the International Civil Aviation Organization.

The **Terrorism Prevention Branch** of the United Nations Office on Drugs and Crime delivers counter-terrorism legislative and capacity-building assistance to Member States, upon request, aimed at strengthening national capacity to implement the universal legal regime against terrorism.

Legal and Capacity-Building Areas

- Universal Legal Framework against Terrorism;
- Investigation, Prosecution and Adjudication of Terrorism-related Cases;
- Countering the Use of the Internet for Terrorist Purposes;
- Victims of Acts of Terrorism;
- Preventing and Suppressing Chemical, Biological, Radiological and Nuclear Terrorism;
- Transport-related (Civil Aviation and Maritime) Terrorism Offences;
- Human Rights and Criminal Justice Responses to Terrorism;
- Countering the Financing of Terrorism;
- International Cooperation in Criminal Matters related to Terrorism.

Delivery Methods

WORKSHOPS

at the national, sub-regional and regional level, through which criminal justice officials receive specialized knowledge enhancement and training on preventing and countering terrorism;

ONLINE COUNTER-TERRORISM LEARNING PLATFORM

an interactive tool for training criminal justice officials on countering terrorism that offers:

- 1) tailor-made online training;
- 2) a worldwide community of practitioners, enabling networking and the sharing of good practices;

MOCK TRIALS AND INVESTIGATIONS

of terrorism cases, terrorist financing and linkages to serious related crimes, providing practitioners with an opportunity to simulate trials and criminal investigations based on real-life scenarios

LEGISLATIVE SERVICES

to support Member States with the incorporation of the provisions of the international legal instruments against terrorism into national legislation through legislative analysis, drafting and national workshops;

STUDY TOURS

for criminal justice officials to get acquainted with counter-terrorism good practices.

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